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JFW/93B

Patent
Attorney's Docket No. 034279-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP ISSUE FEE
Philip St. John Russell et al.)	
Application No.: 09/890,793)	Group Art Unit: 2874
Filed: November 8, 2001)	Examiner: PHAN T H PALMER
For: PHOTONIC CRYSTAL FIBRES)	Confirmation No.: 6561
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**REQUEST FOR CONSIDERATION OF INFORMATION DISCLOSURE
STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On August 25, 2004 an Information Disclosure Statement was filed with an Amendment. Although the Amendment was entered, the Examiner did not return a copy of the Form 1449 that was submitted with the Information Disclosure Statement. A copy of the Information Disclosure Statement and the postcard receipt indicating receipt of the Information Disclosure Statement by the U.S. Patent and Trademark Office on August 25, 2004, is submitted herewith.

Consideration Of Information Disclosure Statement

Application No. 09/890,793

Attorney's Docket No. 034279-002

Page 2

If the Examiner would like copies of any of the references listed in the Information Disclosure Statement, the Examiner is respectfully urged to telephone the undersigned attorney.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: 10-12-04

By: William C. Rowland

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Philip St. John Russell et al.

Application No.: 09/890,793

Filed: November 8, 2001

For: IMPROVEMENTS IN OR RELATING
TO PHOTONIC CRYSTAL FIBRES

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)
) Group Art Unit: 2874

)
) Examiner: Phan T H PALMER

)
) Confirmation No.: 6561

THIRD INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Also submitted herewith is a copy of an Opposition that was filed in the European Patent Office against EP 1 153 325 B1, which claims priority from the priority applications of the present application.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

Cpm
8-25-04
(7/04)
VA 327010.1

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date August 25, 2004

By: William C. Rowland
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THIRD
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Col. Date if Known

Application Number	09/890,793
Filing Date	November 8, 2001
First Named Inventor	Philip St. John Russell et al.
Examiner Name	Phan T H Palmer
Attorney Docket Number	000035-035

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	5,841,131		Schroeder et al.	11-24-1998
	5,155,792		Vali et al.	10-13-1992
	5,056,888		Messerly et al.	10-15-1991
	3,990,874		Schulman	11-09-1976

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
					Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec
	59-92940		Japan	11-17-1982							
	00/37974		WIPO	06-29-2000							
	00/06506		WIPO	02-10-2000							
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	753797		USSR	08-07-1980						X	
	00/16141	A1	WIPO	03-23-2000							
	00/49435	A1	WIPO	08-24-2000							
	00/49436	A1	WIPO	08-24-2000							
	03/058308	A2	WIPO	07-17-2003							

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	Notice of Opposition to a European Patent; Patent No. 1 153 325, Issued 09-24-03.
	SCOT C. RASHLEIGH "Origins and Control of Polarization Effects in Single-Mode Fibers"; Journal of Lightwave Technology, Vol. LT-1, No. 2, June 1983, pp. 312-331
	CHIN-LIN CHEN "An Analysis of High Birefringence Fibers", Journal of Lightwave Technology, Vol. LT-5, No. 1, January 1987, pp. 53-69
	KUN-HSIEH TSAI et al. "General Solutions for Stress-Induced Polarization in Optical Fibers", Journal of Lightwave Technology, Vol. 9, No. 1, January 1991, pp. 7-17
	J.C. KNIGHT et al. "Pure Silica Single-Mode Fibre with Hexagonal Photonic Crystal Cladding", Optical Fiber Communication, Postdeadline Papers, San Jose Convention Center, pp. 1-5
	T.A. BIRKS et al. "Full 2-D Photonic Bandgaps in Silica/Air Structures", Electronic Letters, Vol. 31, No. 22, October 26, 1995, pp. 1941-1943
	H.W. FOWLER et al. "The Concise Oxford Dictionary of Current English", Clarendon Press, Oxford, Eighth Edition, 1990, pp. 685, 833, 886, 896
	ALLAN W. SNYDER "Optical Waveguide Theory", Kluwer Academic Publishers, 2000, pp. 234-236, 355-359
	R.F. CREGAN et al., "Single-mode Photonic Ban Cap Guidance of Light in Air" Science, Vol. 285, pp. 1537-1539, 3 September 1999
	KAZUO SHIRAISHI et al., "Light-Propagation Characteristics in Thermally Diffused Expanded Core Fibers", Journal of Lightwave Technology, Vol. 11, pp 1584-1591 (1993)

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.